

RESPONSE TO RESTRICTION REQUIREMENT  
ATTORNEY DOCKET NO. 3975.026

APPLICATION NO. 10/689,219

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**IN THE CLAIMS:**

This complete listing of the claims replaces all prior listings of claims in the application.

1. (original) A bone replacement material comprising crystalline and X-ray amorphous phases, characterized in that

a) according to  $^{31}\text{P}$ -NMR measurements, said bone replacement material comprises  $\text{Q}_0$ -groups of orthophosphate and  $\text{Q}_1$ -groups of diphosphate, the orthophosphates or  $\text{Q}_0$ -groups making up 70 to 99.9% by weight relative to the total phosphorus content of the finished material and the diphosphates or  $\text{Q}_1$ -groups making up 0.1 to 30% by weight relative to the total phosphorus content of the finished material, and

b) according to X-ray diffractometric measurements and relative to the total weight of the finished material, 30 to 99.9% by weight of a main crystal phase consisting of  $\text{Ca}_2\text{K}_{1-x}\text{Na}_{1+x}(\text{PO}_4)_2$ , where  $x = 0.1$  to  $0.9$ , is contained in the bone replacement material and 0.1 to 20% by weight of a substance selected from the group consisting of  $\text{Na}_2\text{CaP}_2\text{O}_7$ ,  $\text{K}_2\text{CaP}_2\text{O}_7$ ,  $\text{Ca}_2\text{P}_2\text{O}_7$  and mixtures thereof is contained as a secondary crystal phase, and

c) the X-ray amorphous phases contained besides the main crystal phase jointly make up 0.1 to 70% by weight relative to the total weight of the finished material.

2. (original) A bone replacement material comprising crystalline and X-ray amorphous phases, characterized in that

a) according to  $^{31}\text{P}$ -NMR measurements, the bone replacement material comprises  $\text{Q}_0$ -groups of orthophosphate and  $\text{Q}_1$ -groups of diphosphate, the orthophosphates or  $\text{Q}_0$ -groups making up 70 to 99.9% by weight relative to the total phosphorus content of the finished material and the diphosphates or  $\text{Q}_1$ -groups making up 0.1 to 30% by weight relative to the total phosphorus content of the finished material, and

b) according to X-ray diffractometric measurements and relative to the total weight of the finished material, 30 to 99.9% by weight of a main crystal phase consisting of  $\text{Ca}_2\text{K}_{1-x}\text{Na}_{1+x}(\text{PO}_4)_2$ , where  $x = 0.1$  to  $0.9$ , is contained in the bone replacement material and 0.1 to 20% by weight of a substance selected from the group consisting of  $\text{Na}_2\text{CaP}_2\text{O}_7$ ,  $\text{K}_2\text{CaP}_2\text{O}_7$ ,  $\text{Ca}_2\text{P}_2\text{O}_7$  and mixtures thereof is contained as a secondary crystal phase, and

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c) the X-ray amorphous phases contained besides the main crystal phase jointly make up 0.1 to 70% by weight relative to the total weight of the finished material,

obtainable by

mixing raw materials containing (in % by weight) 25-50 CaO, 1-20 Na<sub>2</sub>O, 0.5-20 K<sub>2</sub>O, 0-13 MgO and 0-10 SiO<sub>2</sub> and treating the aforesaid mixture with H<sub>3</sub>PO<sub>4</sub> in an amount corresponding to 30-55 P<sub>2</sub>O<sub>5</sub>, SiO<sub>2</sub> or MgO or a mixture thereof making up at least 1% by weight, homogenizing and drying the mixture and subjecting it to a step-by-step thermal treatment lasting 1-2h at 350-450°C, 750-850°C and 950-1,050°C respectively, melting the mixture at between 1,550 and 1,650°C, holding it at the melting temperature for between 10 and 60 minutes and finally cooling the mixture in a spontaneous or temperature-controlled manner, grinding it, if necessary, and sintering it to obtain moulded bodies.

3. (original) A bone replacement material according to Claim 1, wherein additionally one or more of the chain phosphates NaPO<sub>3</sub>, KPO<sub>3</sub> and mixtures thereof are contained in an amount ranging between 0.1 and 10% by weight, which chain phosphates can be detected as Q<sub>2</sub>-groups using <sup>31</sup>P-NMR measurements.

4. (original) A bone replacement material according to Claim 1, wherein x ranges between 0.2 and 0.9.

5. (original) A bone replacement material according to Claim 1, wherein the secondary crystal phase contains a silicate phase corresponding to the SiO<sub>2</sub> content.

6. (original) A bone replacement material according to Claim 1, wherein additionally magnesium in an amount ranging up to 10% by weight, calculated as MgO and relative to the weight of the finished material, is contained.

7. (original) A bone replacement material according to Claim 1, wherein the orthophosphate phase represented by Q<sub>0</sub>-groups makes up 75 to 99% by weight.

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8. (original) A bone replacement material according to Claim 7, wherein the orthophosphate phase represented by  $Q_0$ -groups makes up 78 to 95% by weight.

9. (original) A bone replacement material according to Claim 1, wherein the diphosphate phase represented by  $Q_1$ -groups makes up 1 to 22% by weight, preferably 5 to 16% by weight.

10. (original) A bone replacement material according to Claim 9, wherein the diphosphate phase represented by  $Q_1$ -groups makes up 5 to 16% by weight.

11. (original) A bone replacement material according to Claim 1, wherein the secondary crystal phase makes up 0.1 to 15% by weight.

12. (original) A bone replacement material according to Claim 10, wherein the secondary crystal phase makes up 1 to 15% by weight.

13. (previously presented) A bone replacement material according to Claim 1, wherein the total solubility ranges between 30 and 500  $\mu\text{g}/\text{mg}$ , relative to the starting material if the test is carried out in 0.2M TRIS-HCl buffer solution at  $\text{pH} = 7.4$ ,  $T = 37^\circ\text{C}$  using a grain size fraction of 315-400  $\mu\text{m}$ , the duration of the test being 120h and the ratio of weighed-in sample to buffer solution being 50mg to 40ml.

14. (previously presented) A bone replacement material according to Claim 1, wherein the coefficient of expansion ranges between 12 and 18  $\times 10^{-6} \text{ K}^{-1}$ , measured using a dilatometer.

15. (previously presented) A bone replacement material according to Claim 1, wherein the pH value of the surface changes by at least 0.7 units, preferably at least 1.5 units, towards the neutral point within the alkaline range if the material is stored in deionized water at room temperature for 72 hours or heated up to  $60^\circ\text{C}$  for 1 hour at a pressure of 1-3 bars and rinsed with deionized water.

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16. (previously presented) A bone replacement material according to Claim 1, wherein said material is provided in combination with a metallic implant surface.

17. (original) A bone replacement material according to Claim 1, wherein in the processed, finished state said material consists of (in % by weight):

30 to 55  $P_2O_5$ , 25 to 50 CaO, 1 to 20  $Na_2O$ , 0.5 to 20  $K_2O$ , 0 to 13 MgO  
0 to 10  $SiO_2$ ; MgO or  $SiO_2$  or a mixture thereof making up at least 1% by weight.

18. (original) A bone replacement material according to Claim 17, wherein MgO is in the range of 1-13 % by weight and  $SiO_2$  is in the range of 0.5-5 % by weight; MgO or  $SiO_2$  or a mixture thereof making up at least 1% by weight.

19. (original) A bone replacement material according to Claim 18, wherein said material contains 40 to 52  $P_2O_5$ , 28 to 33 CaO, 8.5 to 13  $Na_2O$ , 9.5 to 15  $K_2O$ , 1.5 to 3 MgO, 0.1 to 4  $SiO_2$ .

20. (original) A bone replacement material according to Claim 1, wherein said material is provided in the form of granulated materials, ceramic bodies or ceramic sheets.

21-25. (cancelled)

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